## IN THE UNITED STATED DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

D.C., INC., d/b/a DIRT CHEAP	)	
CIGARETTES AND BEER,	)	
Plaintiff,	)	
VS.	)	Case No.: 4:10-cv-01018-JCH
	)	
DRP, INC., a Missouri Corporation,	)	
JITENDRA PATEL, an Individual, and	)	
RAJ PATEL, an Individual,	)	
	)	
Defendants.	)	

## NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

COMES NOW, Plaintiff D.C. Inc., d/b/a Dirt Cheap Cigarettes and Beer ("Plaintiff" or "Dirt Cheap"), by and through the undersigned counsel, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, and hereby dismisses with prejudice any and all of Plaintiff's claims against Defendants DRP, Inc., Jitendra Patel, and Raj Patel in the above-styled action. Notwithstanding, the Court shall retain jurisdiction to enforce the Consent Permanent Injunction [Doc. 17].

Respectfully Submitted

/s/ Timm W. Schowalter

Timm W. Schowalter, #66308 Michael J. Smith, #57972 James C. Hetlage, #3391 LASHLY & BAER, P.C. 714 Locust Street St. Louis, Missouri 63101 (314) 621-2939 (314) 621-6844 (fax)

Attorneys for Plaintiff

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 12<sup>th</sup> day of August, 2010, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Nelson D. Nolte, Esq.
 Polster, Lieder, Woodruff & Lucchesi, L.C.
 12412 Powerscourt Drive, Suite 200
 St. Louis, MO 63131-3615
 nnolte@patpro.com

/s/ Timm W. Schowalter
Timm W. Schowalter